

1 MARK D. FOWLER, Bar No. 124235  
2 [mark.fowler@dlapiper.com](mailto:mark.fowler@dlapiper.com)  
3 DAVID ALBERTI, Bar No. 220625  
4 [david.alberti@dlapiper.com](mailto:david.alberti@dlapiper.com)  
5 CHRISTINE K. CORBETT, Bar No. 209128  
6 [christine.corbett@dlapiper.com](mailto:christine.corbett@dlapiper.com)  
7 YAKOV M. ZOLOTOREV, Bar No. 224260  
8 [yakov.zolotarev@dlapiper.com](mailto:yakov.zolotarev@dlapiper.com)  
9 CARRIE L. WILLIAMSON, Bar No. 230873  
10 [carrie.williamson@dlapiper.com](mailto:carrie.williamson@dlapiper.com)

11 DLA PIPER US LLP  
12 2000 University Avenue  
13 East Palo Alto, CA 94303-2214  
14 Tel: 650.833.2000  
15 Fax: 650.833.2001

16 Attorneys for  
17 Sun Microsystems, Inc.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION  
14

15 NETWORK APPLIANCE, INC.  
16 Plaintiff/Counterdefendant,  
17 v.  
18 SUN MICROSYSTEMS, INC.,  
19 Defendant/Counterplaintiff.

CASE NO. C-07-06053 EDL (JCS); C-07-  
05488 EDL (JCS); C-08-1641 EDL (JCS)

**[PROPOSED] ORDER AND  
STIPULATION REGARDING  
EXTENSION TO EXCHANGE  
SETTLEMENT PROPOSALS**

21 Sun Microsystems, Inc. ("Sun") and Network Appliance, Inc. ("NetApp"), by and through  
22 their undersigned attorneys of record, hereby stipulate and agree as follows:

23 (1) No later than April 29, 2008, Sun and NetApp shall each make a settlement  
24 proposal, in writing, with a copy to Judge Spero;

25 (2) No later than May 6, 2008, Sun and NetApp shall each respond and make a  
26 counter-proposal, in writing, with a copy to Judge Spero;

27 -1-

1 (3) All other dates set forth in the March 3, 2008 and April 4, 2008 Notices of  
2 Settlement Conference and Settlement Conference Orders remain unchanged.

3  
4 Dated: April 24, 2008

5 DLA PIPER US LLP

6  
7 /s/ Christine K. Corbett  
8 MARK D. FOWLER  
9 DAVID ALBERTI  
10 CHRISTINE K. CORBETT  
11 YAKOV M. ZOLOTOREV  
12 CARRIE L. WILLIAMSON  
13 Attorneys for  
14 Sun Microsystems, Inc.

15  
16 Dated: April 24, 2008

17 /s/ Jill J. Ho  
18 Matthew D. Powers  
19 Edward R. Reines  
20 Jeffrey G. Homrig  
21 Jill J. Ho  
22 WEIL, GOTSHAL & MANGES LLP  
23 201 Redwood Shores Parkway  
24 Redwood Shores, CA 94065  
25 Telephone: (650) 802-3000  
26 Facsimile: (650) 802-3100  
27  
28 Attorneys for  
Network Appliance, Inc.

IT IS SO ORDERED

Dated:

JOSEPH C. SPERO  
United States Magistrate Judge